

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

First Named Inventor: John W. SAFIAN

Art Unit:

Application No.: 10/751,367

Examiner:

Filed: January 5, 2004

Confirmation No.: 2205

For: MULTILAYER CONTAINER PACKAGE  
FOR DISPENSING A LIQUID PRODUCT

\* \* \*

**RENEWED PETITION UNDER 37 CFR 1.137(b)**

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests reconsideration of the Decision on Petition mailed September 4, 2007.

Applicant wishes to acknowledge with appreciation the telephone conversation held with Examiner Sines on November 7, 2007. A statement of the substance of the telephone conversation is contained herein.

The Decision on Petition granted the instant petition, indicating that the petition satisfied the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a continuing application under 37 CFR 1.53(b); (2) the petition fee of \$1500; and (3) the required statement of unintentional delay had been received. The Decision noted that the petition referred to an attached affidavit and that, while no such affidavit had been received by the Office, the petition as filed met the requirements of 37 CFR 1.137(b). The Decision also noted that the application file did

not indicate that a change of address had been filed in this case. As was discussed in the aforementioned telephone conversation, however, the originally filed petition included all of the required elements for a grantable petition under 37 CFR 1.137(b), as well as an attached Affidavit and a change of address form.

Upon receipt by the USPTO of the originally filed petition and its accompanying submissions, the referenced attached Affidavit, along with a Power of Attorney and Change of Correspondence Address form, were apparently separated from the petition during initial processing at the USPTO. Indeed, these accompanying submissions were received, processed, and entered into the USPTO database, as can be seen by accessing the USPTO PAIR online database record for US continuation application number 11/826,970 (i.e., the required reply submitted with the originally filed petition). Applicant has, nonetheless, included courtesy copies of the Affidavit including a statement of unintentional delay, and the Power of Attorney and Change of Correspondence Address form; all as submitted with the originally filed petition.

Applicant acknowledges with appreciation that the petition, as originally filed, had been granted. In view of the remarks presented herein, however, Applicant respectfully requests that the petition be reconsidered in view of the referenced attached Affidavit and subsequently granted.

Should the examiner believe that any further action is necessary to place this petition in better form for being granted, the examiner is invited to contact Applicant's representative at the telephone number listed below.

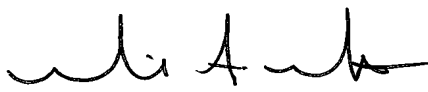
The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T4289PC-13223US02) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of

time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

Date: November 15, 2007

By: \_\_\_\_\_



James T. Carmichael  
Reg. No. 45,306

Michael A. Miner  
Reg. No. 58,797

Miles & Stockbridge, P.C.  
1751 Pinnacle Drive  
Suite 500  
McLean, Virginia 22102-3833  
(703) 903-9000